

MINUTES

RANDOLPH COUNTY PLANNING BOARD

July 10, 2007

The Randolph County Planning Board met at 6:30 p.m., on Tuesday, July 10, 2007, in the Commissioners' Meeting Room, Randolph County Office Building, 725 McDowell Road, Asheboro, North Carolina.

1. **Chairman Lynden Craven** called to order the Randolph County Planning Board meeting at 6:30 p.m.
2. **Hal Johnson**, Planning Director, called roll of the members: **Lynden Craven**, Chairman, present; Jim Rains, Vice Chairman, absent; Larry Brown, absent; Phil Ridge, absent; **Chris McLeod**, present; **Reid Pell**, present; **Wayne Joyce**, present; and **Danny Shaw**, Alternate, present (substituting for regular member Ridge). **Alan Pugh**, County Attorney, was present for this meeting.
3. **Pell** made the motion, seconded by **Joyce**, to approve the minutes of the June 5, 2007 Randolph County Planning Board meeting. The motion passed unanimously.
4. **Randolph County Comprehensive Transportation Plan Process Review** – Hanna Cockburn, Senior Planner, Rural Planning Organization & James Upchurch, Planner, NCDOT.

Hannah Cockburn, Senior Planner, Piedmont Triad Council of Governments, and Manager of the Rural Planning Association, was present and provided a brief update on the first rural transportation plan process in Randolph County. Cockburn said there has been no thoroughfare plan done to date by NCDOT in Randolph County. Cockburn said this is a great opportunity for Randolph County. Cockburn said that they will study transit service, sidewalks, pedestrian right-of-ways, and highways for a total plan. Cockburn said the goal is to coordinate all their efforts with local governments as well as the NCDOT. Cockburn said there will be public meetings and community services beginning in August for this process. Cockburn said everything should be completed by January for a series of public workshops. Cockburn said most of the cities in the County have had transportation plans and will not be included with the exception of Seagrove. Cockburn said this plan is important to NCDOT to help manage the facilities they have and those facilities they are planning to build. This is the bases for making future decisions. Cockburn said this type of study also provides the public with the opportunity to express unsafe intersections and other things that can be improved in our road system. **Pugh** said he would like to take a role in this process. Pugh described his interest and

extensive involvement with highway planning in the State. **Johnson** said these transportation programs recognize long range plans, but also provide the opportunity to for the community to see more immediate needs also. **Cockburn** said there is no cost to the County to participate in this program. This is a free service provided by NCDOT.

5. **ROAD RENAME**

- A. **JANET PIKE HILL** having obtained the required signatures is requesting that SR 2464, Andrews Road, be renamed **Pike Farm Road**. The renaming request is from the intersection of SR 2425 (Flynt Road) to the end of SR 2464 (Andrews Road), being an approximate distance of one mile. Columbia/Liberty Township.

Hill provided the Board with the required petition to request for a road to be renamed. Hill explained that their family has had a farm on this road since the late 1800's. Hill said they are a fifth generation property owner. Hill said that they own most of the land and most of the road frontage on this road.

There was no one present in opposition to this request.

Pell made the motion, seconded by **McLeod**, to recommend to the Commissioners that this request be **approved**. The motion passed unanimously.

6. **REQUESTS FOR A SPECIAL USE PERMIT:**

Swearing in of the Witnesses - "Do you swear or affirm that the information you are about to give is the truth, the whole truth, and nothing but the truth, so help you God."

Eight people took this oath.

- A. **CROWN CASTLE INTERNATIONAL**, Charlotte, North Carolina, is requesting a Special Use Permit to allow the construction of a 199 ft. monopole cell tower and facility as per site plan located at 2982 Lions Rest Road, on 7.84 acres, Zoo Growth Area, Grant Township, Zoning District E-1, Tax #7668916534.

Johnson said that the Technical Review Committee has reviewed this application and determined that it meets all the technical requirements of the ordinance.

Henry Campen, Attorney representing Crown Castle International, said that they believe that the supporting materials and testimony will show that they meet all the requirements of the County Ordinances. Campen provided a packet of information and materials as evidence to their case. Campen introduced the witnesses. Campen provided a map of the site and gave a general overview of the site. Campen said the closest residence to the site is over 300 ft.

John Chambers, Engineer, said they were hired as the infrastructure engineers of the site. Chambers said that he has 14+ years experience in the engineering and design of cellular tower sites. Chambers said the tower will be of no public health

danger. Chambers said the tower is setback 300 ft. from the nearest residence and 175 ft. from the nearest property line. Chambers described the existing and future cellular phone coverage of the area. Chambers said the closest tower is 3 miles from this site.

Harold Brubaker, Brubaker Associates, real estate appraiser, said he was asked to determine whether the location of the tower would substantial injure property and/or substantial injure the value of these properties. Brubaker determined by a study that the location at issue would not substantial injure the impacted properties. Brubaker described the use of the properties in the area as sparsely populated with residential properties and small commercial properties.

There was no one present in opposition to this request.

McLeod asked the number of co-locators to this tower and **Campen** explained there would be a minimum of 4 antennas located on this tower.

McLeod made the motion, seconded by **Pell**, to **approve** this request for a Special Use Permit. The motion passed unanimously.

- B. GLENN LUNDY**, Seagrove, North Carolina, is requesting a Special Use Permit to allow a rural family occupation to repair and sell horse trailers in proposed 40' x 40' building as per site plan at his residence located at 5990 Clyde King Road, on 10.00 acres, Rural Growth Area, Richland Township, Zoning District RA, Tax ID #7676734156.

Lundy was present and explained that the entire property is fenced. Lundy said he has a small horse farm here. Lundy said that he has purchased a 40' x 40' steel building for his personal use, and has now decided to use the building commercially. Lundy said that he plans to tear down the existing building on the property. Lundy said that he plans to work on horse trailers in his spare time. Lundy said that he also plans to sell horse trailers at this location. Lundy said that the business will be family operated. Lundy said that he will start off with 10 to 12 horse trailers on the property for sale. Lundy said that any outside storage will be stored at the back of the property. Lundy said that he will not junk the site up.

Chuck Badin, 297 Walnut Drive, Asheboro, said that he owns 400 acres, with eight (8) other families, to the north of this site. Badin said he has talked with the manager of the property and there are no commercial establishments on this road. Badin expressed concern for this building located so close to the road. Badin said that they would like to keep the area residential. Badin said they are opposed to this request. Badin said to approve this request would be setting a bad precedence in this area.

McLeod asked if this request was denied could Lundy still build the building.

Johnson answered that he could build the building but he would not be allowed to have retail sales at the site.

Dee Bulla, 802 Newburn Avenue, Asheboro, expressed concern that this type of use could possibly be difficult to monitor. Bulla asked to go on record in opposition to the request.

Ann Lundy, adjoining property owner, said that she didn't see anything wrong with this type of business. Lundy said that those that have spoken in opposition to this request doesn't even live here. Lundy said that she felt this rural type of business would be good for their community. Lundy agreed that some businesses would not be appropriate, but she felt this would.

McLeod said he felt the Board should consider limiting the number of trailers that could be at the business. **Craven** said that Lundy has mentioned the number of 12 trailers.

Pugh advised the Board that they could place reasonable restrictions on the permit to protect the community.

Joyce asked Lundy what the maximum number of trailers he would like to have on the property. **Lundy** said he would like the Board to consider allowing him to have 30 trailers. **Joyce** asked if he would consider a maximum number of 15 trailers. **Lundy** agreed to the maximum number of 15 trailers.

Pugh advised the Board that they could place reasonable conditions without the consent of the property owner.

McLeod said it appears there will be a building on the property whether he is allowed to have the trailers or not. **Joyce** asked Lundy how many trailers he would be working on at one time. **Lundy** answered that it would be difficult to say.

Pell asked Lundy if he plans to place a sign on the property. **Lundy** answered that he plans have a sign on the side of the building.

Badin expressed his concern of junk trailers accumulating on the property.

Pell made the motion to **approve** this request with the following conditions:

- **no more than 15 trailers total (for sale and repair)
- **no junk allowed to remain beyond 30 days
- **buffers and signage must be worked out with the Planning staff

Joyce seconded the motion and the motion passed unanimously.

7. **REQUESTS FOR PROPERTY REZONING:**

- A. **DERRICK CAUDILL**, Asheboro, North Carolina, is requesting that 8.84 acres

located at 5364 Old NC Hwy 13, Grant Township, be rezoned from E-1 to CVOE-CD. Tax ID#'s 7677961581. Zoo Growth Area. The proposed Conditional Zoning District would specifically allow the development of a residential subdivision of 6 lots for site built homes with a minimum house size of 1,100 sq. ft. (Timothy R. Campbell, Property Owner).

- **Neighborhood Information Meeting Summary**

The applicant was present for this meeting. There were 4 citizens also present that expressed concern that the proposed house size was too low.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that the proposal was in compliance with standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee acknowledged that the existing community has an average house size of 1,470 sq. ft. and the proposed house size for this development is 1,100 sq. ft. The committee expressed concern that the proposed house size was incompatible with the existing homes in the community. The Technical Review Committee recommended to the County Planning Board that this request be approved if the proposed house size is more changed to be comparable to existing home in the community.

Examples of some Growth Management Policies that the Technical Review Committee found supporting this recommendation are:

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long term quality of life in Randolph County.

Policy 6.13 Conventional Residential Subdivisions are anticipated of similar housing characteristics to the community.

Caudill was present for this meeting. Caudill said that there are single-wide mobile homes on both sides of this property. Caudill said he would not mind increasing his house size to 1,200 sq. ft. Caudill said that the property was clear-cut before he purchased the property. **Johnson** informed Caudill that he would be required to install a buffer on the road front prior to dividing the property. Johnson explained that he would be required to install a 35' replacement buffer. Johnson asked Caudill if he has contacted NCDOT concerning driveway connections. **Caudill** said he has not but he felt there would be no problem obtaining driveway permits for the lots.

Lucy Rice, 5377 Old NC Hwy 13, expressed concern for the traffic congestions and problems they currently experience. Rice said they are concerned about the

added driveways being proposed. Rice said this will only add to the traffic hazards on Hwy 13. Rice said she would appreciate any consideration the Board would have of their safety concerns.

Foy Gann, 4188 Old NC Hwy 13, said that this area is a rural area in the Zoo zoning district. Gann said that the road is extremely dangerous with logging trucks, feed trucks, zoo traffic, etc. Gann said that this would be a housing subdivision in the middle of their rural community. Gann asked the Board to deny any request for more than 2 lots.

Johnson said that it is the responsibility of NCDOT to issue driveway permits. Johnson said that a few years ago this would have been considered a minor subdivision and would not have required rezoning for development. Johnson said that it seems that some regional DOT offices have different requirements when it comes to approving driveway connections. Johnson also advised the Board that there will be a request for 60 lots in this area in the near future. Johnson said it is scheduled for the Neighborhood Information Meeting this month.

McLeod and **Pell** asked if Caudill would be required to plant a buffer along the road and **Johnson** answered yes.

Joyce made the motion to recommend to the Commissioners that this request be approved with the condition that the house size be increased to 1200 sq. ft. and the buffers be worked out with the Planning staff. **McLeod** seconded this motion and the motion passed unanimously.

- B. VERNON MARLEY**, Franklinville, North Carolina, is requesting 1.00 acre out of 2.59 acres located at 3762 US Hwy 64 East, Franklinville Township, be rezoned from RR to HC-CD. Primary Growth Area. Tax ID# 7781290290. The proposed Conditional Zoning District would specifically allow a golf cart sales and service facility as per site plan.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002 The Technical Review Committee recommended to the County Planning Board that this request be approved as consistent with existing land use patterns.

Example of a Growth Management Policy that the Technical Review Committee found supporting this recommendation is:

Policy 4.2 Highway oriented commercial uses should be clustered along segments of arterial streets and contain land uses that are mutually compatible and reinforcing in use and design. They should be designed in a way that minimizes signage, access points and excessive lengths of commercial strip

development.

Marley was present for this meeting. Marley said he has operated a business for 6 years across the road from this site. Marley said that he owns this property and would like to move his business to this location. Marley said he is currently renting the facility he is in now. Marley said he did cut the trees on the property, but he will not be using the remainder of the property for any commercial storage. Marley said he is going to allow the trees to grow back.

David Kirkman, 2383 Wildwood Lane, said that he lives directly behind this site. Kirkman said he would be concerned about the noise from this site and Hwy 64. Kirkman said he would like a sound barrier on this property. Kirkman said he would also like to see the speed limit reduced to 35 mph.

Johnson explained that if this request is approved Marley would not be able to use the back portion of the property for the commercial business. **Marley** explained that this would be a distance of approximately 400 ft.

McLeod made the motion, seconded by **Pell**, to recommend to the Commissioners that this request be approved as consistent with the Growth Management Plan for this area. The motion passed unanimously.

Marley asked the Board if he is required to attend the Commissioners meeting. Marley said he will be out of town that entire week. **Pugh** advised Marley that he could submit a letter to Planning Director Hal Johnson to present to the Commissioners with this information.

- C. **ANDREW MCARTHUR**, Asheboro, North Carolina, is requesting 11.5 acres out of 18.5 acres located off Twelve Tree Road, Cedar Grove Township, be rezoned from RA to HI-CD. Primary Growth Area. Tax ID# 7659042287. The proposed Conditional Zoning District would specifically allow the operation of a logging yard facility as per site plan.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was not in compliance with the standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002. The Technical Review Committee recognized that this site is located in a densely populated residential area. The Committee expressed concern for the small residential roads that would be used to access this property by large logging trucks. The Committee also felt the proposed graveled access drive would adversely impact the adjoining residents. The Technical Review Committee recommended to the County Planning Board that this request be denied as not compatible to the community.

Examples of some Growth Management Policies that the Technical Review

Committee found supporting this recommendation are:

Policy 3.1 Industrial development should not be located in areas that would diminish the desirability of existing and planned residential uses, nor should major subdivisions be allowed to encroach upon existing or planned industrial sites without appropriate buffers.

Policy 3.2 Industrial development should be on land that is physically suitable and has unique locational advantages for industry. Advanced planning for the identification of such land should be encouraged.

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a major housing source and as a reflection of the long term quality of life in Randolph County.

Policy 7.2 Industries producing excessive noise, odor, air and water pollution, or other harmful impacts shall be discouraged, unless such adverse impacts can be clearly overcome through effective mitigation.

McArthur was present and explained his intentions to purchase the property to operate a logging yard. McArthur said there will be one machine operating each day and only one employee on-site. McArthur said this would be a place where tree services, farmers, construction crews, and others could bring trees to sell. McArthur said that currently there is only a yard in Liberty for people to take the trees in Randolph County to sell. McArthur said that the back portion of the property is to remain wooded and would not be used in the operation.

Robin Sands, Sands Tree Service, said that he felt this would be beneficial for people in this area. Sands said that it would be nice for the tree services to have a business like this location so close to the area.

Jon Megerian, Attorney, asked for those in opposition to stand. **There were 13 neighbors from the community present in opposition to this request.** Megerian said that this area is developed largely residential. Megerian said now you are being asked to zone a large area in the center of this residential community heavy industrial. Megerian quoted the Growth Management Plan and said that all the industrial policies directly speak against this type of development within a residential community. Megerian said that the environmental quality policies also speak against zoning this request. Megerian said this entire area is developed residential and this would create logging truck traffic along this small residential road. Megerian described the road as narrow and said one logging truck would be too many to travel on this road. Megerian said that there is no limit to the size of the facility and there is no evidence of any environmental impact study. Megerian said that the growth trends for this area is residential and not heavy industry. Megerian said this would be one of the worst areas in the county to permit industrial development. Megerian said that this request is not even a close call. Megerian said that the Growth Management Plan clearly establishes this area

residential. Megerian said that every aspect of the Growth Management Plan says this request should not be approved.

Billy Ludlum, 743 Ludlum Lane, said that his land adjoins this property and expressed concern for the run-off this type of operation would have on the creek that cross this property and his property. Ludlum said they are opposed to the request.

Mary Ludlum, 743 Ludlum Lane, expressed concern for the traffic problems this would cause in their neighborhood.

Peggy Smith, said that she lives in the trailer park next to this new road. Smith said that Twelve Tree Road is barely wide enough for two cars to pass. Smith said that the road is not well maintained by the NCDOT. Smith said they have pavement problems. Smith said this will create a lot of noise in this community. Smith said many of the residents in this area are elderly.

Craven expressed concern for the school bus traffic in this area with all these logging trucks coming to this area.

Johnson said that the Technical Review Committee reviewed this request and expressed concern for this type of heavy industrial use in this densely populated residential community.

Craven made a motion, seconded by **Joyce**, to recommend to the Commissioners that this request be **denied**, as inconsistent with the Growth Management Plan for this area. The motion passed by a vote of 4 to 1, **McLeod** voted against the motion.

- D. DAVID CRAVEN**, Ramseur, North Carolina, is requesting 10.01 acres located on Foushee Road, Columbia Township, be rezoned from HC-CU to RA. Municipal Growth Area. Tax ID# 8712216786. It is the desire of the property owner to revert the property back to the original zoning.

- **Technical Review Committee Recommendation**

The Technical Review Committee met and found that this proposal was in compliance with the standards outlined in the Growth Management Plan adopted by the Board of County Commissioners on February 4, 2002 The Technical Review Committee recommended to the County Planning Board that this request be approved as consistent with existing land use patterns.

Example of a Growth Management Policy that the Technical Review Committee found supporting this recommendation is:

Policy 6.5 The protection of viable rural neighborhoods should be encouraged by compatible residential development to insure the continued existence as a

major housing source and as a reflection of the long term quality of life in Randolph County.

Craven said that he would like Board to revert the zoning back to Residential Agricultural. Craven said that he has been unable to sell the property for a restaurant.

There was no one present in opposition to this request.

Pell made the motion, seconded by **McLeod**, to recommend to the Commissioners that this request be approved, as consistent with the Growth Management Plan for this area. The motion passed unanimously.

8. The meeting adjourned at 8:40 p.m. There were 55 people present for this meeting.

**NORTH CAROLINA
RANDOLPH COUNTY**

HAL JOHNSON

Planning Director

JILL WOOD

Date

Clerk/Secretary